

REMARKS

This Amendment is in response to the Final Office Action mailed May 17, 2004 and the Advisory Action mailed October 14, 2004, in which the Examiner withdrew the final rejections of the claims and indicated that a new non-final Office Action would be issued. With this Amendment, Applicant has cancelled claims 1-24 and 49, amended claims 50 and 51, and added new claims 55-97. Reconsideration of the application is respectfully requested.

INTERVIEW SUMMARY

Applicant sincerely thanks Examiner Leonid Shapiro and Examiner Vijay Shankar for meeting with Applicant's representative, Brian D. Kaul, on October 29, 2004. During the interview a video demonstration of the invention was presented, differences between the claimed invention and the cited prior art were discussed, and amendments to the claims were proposed. An agreement was reached that an Amendment should be submitted to claim the invention using alternative claim language that would more clearly distinguish the claimed invention from the cited prior art.

Applicant appreciates the withdrawal of the finality of the rejections, as indicated in the Advisory Office Action mailed October 14, 2004 and the opportunity to present this Amendment for consideration.

OBJECTIONS TO THE DRAWINGS

In Section 1 of the Office Action, the Examiner objected to the drawings under 37 C.F.R. §1.83(a) as failing to show every feature of the invention specified in the claims. Applicant requests that the objections be withdrawn for the reasons set forth in the Response mailed July 16, 2004.

OBJECTION TO THE SPECIFICATION

In Section 2 of the Office Action, the Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. Applicant requests that the objection be withdrawn for the reasons set forth in the Response mailed July 16, 2004.

CLAIM REJECTIONS - 35 U.S.C. §102

In Section 3 of the Office Action, the Examiner rejected claims 1-2, 5-6 and 8 under 35 U.S.C. §102(e) as being anticipated by Zamojdo et al. (U.S. Patent No. 6,272,431). Applicant has cancelled the rejected claims thereby obviating the rejections.

CLAIM REJECTIONS - 35 U.S.C. §103

In Sections 4-8 of the Office Action, the Examiner rejected several claims under 35 U.S.C. §103(a). Applicant has cancelled the rejected claims thereby obviating the rejections.

In Section 9 of the Office Action, the Examiner rejected claims 50-53, under 35 U.S.C. §103(a) as being unpatentable over Zamojdo et al. (U.S. Patent No. 6,272,431) in view of Endo et al. (U.S. Patent No. 6,289,278 B1). Applicant respectfully believes that the rejections can be withdrawn.

Applicant has amended independent claim 50 to include "a display configured to display virtual images representing the stored objects in a position that generates a visual effect of the virtual images being projected on the corresponding real world objects when the virtual images are viewed by the operator in the operating position." Such a display is neither taught nor suggested by the cited references.

In particular, Zamodjo et al. provide a head-up display that presents an image that appears to be "substantially parallel to

the ground traversed and high above it" [Col. 2, lines 31-40] This is illustrated in FIG. 3 of Zamojdo et al. where the displayed map on windshield 16 includes a road and a town of "Closeville" that are not presented in such a manner as to create the visual effect described in claim 50, but instead presented such that they are perceived as being "suspended high above the ground" [Col. 2, lines 48-54]

Additionally, Endo et al. fails to disclose the display of claim 50. For example, FIGS. 17 and 22 of Endo et al. are views of a navigational map that show a mark 2000 that represents the user's vehicle. However, the mark 2000 is not presented in a manner that creates the visual effect of it being "projected on the corresponding real world objects when the virtual images are viewed by the operator in the operating position", as described in claim 50.

Accordingly, Applicant submits that the combination of the cited references fails to render claim 50 obvious, and requests that the rejection be withdrawn. Additionally, Applicant submits that claims 51-53 are allowable as being dependent from allowable base claim 50, and requests the rejections be withdrawn.

In Section 10 of the Office Action, the Examiner rejected claim 54 under 35 U.S.C. §103(a) as being unpatentable over Zamojdo et al. and Endo et al., and further in view of Sumiyoshi (U.S. Patent No. 5,734,358). Applicant respectfully submits that claim 54 is presently in condition for allowance as being dependent from allowable base claim 50, and requests that the rejection be withdrawn.

NEW CLAIMS

With this Amendment, Applicant has added new claims 55-97. Independent claims 55, 70 and 84 describe a display that includes one or more graphical images that are positioned "to produce a

visual effect of the graphical image(s) being projected on the corresponding real world object(s) when viewed from a perspective of the operator in the operating position." Applicant believes that such a display is neither taught nor suggested by the cited prior art and requests that the claims be allowed.

CONCLUSION

In view of the above comments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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